

**SECOND DAY - JANUARY 10, 2002**

**LEGISLATIVE JOURNAL**

**NINETY-SEVENTH LEGISLATURE  
SECOND SESSION**

**SECOND DAY**

Legislative Chamber, Lincoln, Nebraska  
Thursday, January 10, 2002

**PRAYER**

The prayer was offered by Pastor Norma J. Vander Meer, Bethany Lutheran Church, Lyons, Nebraska.

**ROLL CALL**

Pursuant to adjournment, the Legislature met at 10:02 a.m., President Heineman presiding.

The roll was called and all members were present except Senators Hudkins, Maxwell, and Thompson who were excused.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the first day was approved.

**MOTION - Adopt Temporary Rules**

Senator Dw. Pedersen moved that the rules, as now in our possession, be adopted for today only, Thursday, January 10, 2002.

The motion prevailed.

**BILLS ON FIRST READING**

The following bills were read for the first time by title:

**LEGISLATIVE BILL 929.** Introduced by Wehrbein, 2; Preister, 5; Schimek, 27.

A BILL FOR AN ACT relating to veterans homes; to provide for a program statement.

**LEGISLATIVE BILL 930.** Introduced by Government, Military and

Veterans Affairs Committee: Schimek, 27, Chairperson; Aguilar, 35; Brown, 6; Burling, 33; McDonald, 41; Smith, 48; Synowiecki, 7; Vrtiska, 1.

A BILL FOR AN ACT relating to state government; to amend sections 44-788, 60-2121, 71-3503, 71-3504, 71-3508.01, 71-4903, 75-366, 79-1312, and 81-177, Reissue Revised Statutes of Nebraska, sections 2-2626, 20-139, 71-1405, 71-3505, 71-4609, 77-27,187, and 81-5,147, Revised Statutes Supplement, 2000, and sections 71-1901 to 71-1905, Revised Statutes Supplement, 2001; to eliminate certain boards, committees, councils, and panels; to harmonize provisions; to repeal the original sections; and to outright repeal sections 60-2122 to 60-2124, 71-1401 to 71-1404, 71-1744, 71-1759, 71-3506, 71-4902, 75-387, 75-388, 77-27,196, 79-1326, 80-323, 80-324, 81-5,150, and 81-5,154 to 81-5,156, Reissue Revised Statutes of Nebraska, sections 71-533 to 71-538, 71-1565, 71-1736, 71-1758, 71-1906.02, 71-8606, 79-1327, and 81-5,149, Revised Statutes Supplement, 2000, and section 71-1906.03, Revised Statutes Supplement, 2001.

**LEGISLATIVE BILL 931.** Introduced by Stuhr, 24.

A BILL FOR AN ACT relating to labor; to amend sections 48-1702, 48-1703, 48-1706, 48-1710, and 48-1711, Reissue Revised Statutes of Nebraska; to change the Farm Labor Contractors Act provisions; and to repeal the original sections.

**LEGISLATIVE BILL 932.** Introduced by Price, 26.

A BILL FOR AN ACT relating to cities of the primary class; to amend section 15-401, Reissue Revised Statutes of Nebraska; to change provisions relating to city council meetings; and to repeal the original section.

**LEGISLATIVE BILL 933.** Introduced by Price, 26.

A BILL FOR AN ACT relating to emergency medical services; to amend section 71-5185, Revised Statutes Supplement, 2000; to change patient data confidentiality and release provisions; and to repeal the original section.

**LEGISLATIVE BILL 934.** Introduced by Kristensen, 37.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-3442 and 79-1008.01, Revised Statutes Supplement, 2001; to change property tax levy restrictions and state aid calculations; and to repeal the original sections.

**LEGISLATIVE BILL 935.** Introduced by McDonald, 41; Schimek, 27.

A BILL FOR AN ACT relating to elections; to amend sections 32-933, 32-941, 32-943, 32-946, 32-950, 32-954, and 32-956, Reissue Revised

Statutes of Nebraska, and section 32-1027, Revised Statutes Supplement, 2000; to change and eliminate provisions relating to absentee ballots; to harmonize provisions; to repeal the original sections; to outright repeal section 32-1029, Reissue Revised Statutes of Nebraska; and to declare an emergency.

**LEGISLATIVE BILL 936.** Introduced by Schrock, 38.

A BILL FOR AN ACT relating to drainage; to amend sections 18-503 and 18-509, Reissue Revised Statutes of Nebraska; to authorize drainage programs for natural resources districts, cities, and villages as prescribed; to change provisions relating to sewer system charges and fees; to define terms; to provide powers; to provide severability; and to repeal the original sections.

**LEGISLATIVE BILL 937.** Introduced by Schrock, 38.

A BILL FOR AN ACT relating to natural resources districts; to amend section 2-1575, Revised Statutes Supplement, 2000; to provide for payments from the Nebraska Soil and Water Conservation Fund as prescribed; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 938.** Introduced by Schrock, 38.

A BILL FOR AN ACT relating to natural resources districts; to amend section 2-1576, Reissue Revised Statutes of Nebraska, and section 2-1575, Revised Statutes Supplement, 2000; to change provisions relating to intent; to provide for payments from the Nebraska Soil and Water Conservation Fund as prescribed; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 939.** Introduced by Schrock, 38.

A BILL FOR AN ACT relating to wastewater; to adopt the Private Onsite Wastewater Treatment System Standards and Contractor Licensing Act; and to provide penalties.

**LEGISLATIVE BILL 940.** Introduced by Schrock, 38.

A BILL FOR AN ACT relating to water well registration; to amend section 46-613.02, Revised Statutes Supplement, 2000; to change penalty and enforcement provisions; and to repeal the original section.

**LEGISLATIVE BILL 941.** Introduced by Schrock, 38.

A BILL FOR AN ACT relating to fees; to amend section 33-105, Reissue Revised Statutes of Nebraska; to change provisions relating to Department of Natural Resources fees; and to repeal the original section.

**LEGISLATIVE BILL 942.** Introduced by Schrock, 38.

A BILL FOR AN ACT relating to the Integrated Solid Waste Management Act; to amend section 13-2040, Reissue Revised Statutes of Nebraska; to change provisions relating to permits; and to repeal the original section.

**LEGISLATIVE BILL 943.** Introduced by Redfield, 12; Bourne, 8.

A BILL FOR AN ACT relating to homesteads; to amend sections 77-3504, 77-3510, and 77-3512, Revised Statutes Supplement, 2000; to redefine a term; to change an application and eligibility date; to provide an operative date; and to repeal the original sections.

**LEGISLATIVE BILL 944.** Introduced by Redfield, 12.

A BILL FOR AN ACT relating to service contract companies; to amend sections 44-102.01, 44-2402, 44-3303, and 77-2702.25, Reissue Revised Statutes of Nebraska, and section 45-336, Revised Statutes Supplement, 2000; to adopt the Service Contract Companies Act; to harmonize provisions; to provide an operative date; and to repeal the original sections.

**LEGISLATIVE BILL 945.** Introduced by Wickersham, 49; Schimek, 27.

A BILL FOR AN ACT relating to government; to amend sections 13-609 and 60-6,322, Reissue Revised Statutes of Nebraska, sections 77-1702 and 81-118.01, Revised Statutes Supplement, 2000, and section 60-302, Revised Statutes Supplement, 2001; to change provisions relating to payments by credit card and to authorize payments by electronic funds transfers; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 946.** Introduced by Wickersham, 49; Coordsen, 32; D. Pederson, 42; Wehrbein, 2.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-27,188.01, Reissue Revised Statutes of Nebraska, section 77-5408, Revised Statutes Supplement, 2000, and sections 77-4106, 77-5531, and 77-5533, Revised Statutes Supplement, 2001; to change provisions dealing with funding for credits and refunds under certain incentive provisions; to harmonize provisions; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 947.** Introduced by Wickersham, 49.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-27,147, Reissue Revised Statutes of Nebraska, sections 13-326 and 77-2702.07, Revised Statutes Supplement, 2000, and section 77-2701, Revised Statutes Supplement, 2001; to change provisions relating to the taxation of mobile telecommunications service; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 948.** Introduced by Baker, 44; Vrtiska, 1.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2701, Revised Statutes Supplement, 2001; to exempt certain repairs and parts from sales and use taxation; to provide an operative date; and to repeal the original section.

**LEGISLATIVE BILL 949.** Introduced by Baker, 44.

A BILL FOR AN ACT relating to criminal procedure; to amend section 29-3001, Reissue Revised Statutes of Nebraska, and sections 29-2101 and 29-2103, Revised Statutes Supplement, 2001; to change provisions relating to postconviction proceedings; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 950.** Introduced by Cunningham, 18; Janssen, 15.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend section 53-124, Revised Statutes Supplement, 2001; to change provisions relating to Class C licenses; and to repeal the original section.

**LEGISLATIVE BILL 951.** Introduced by Engel, 17; Kruse, 13; Dw. Pedersen, 39.

A BILL FOR AN ACT relating to the Department of Correctional Services; to amend section 83-145.01, Reissue Revised Statutes of Nebraska; to change provisions relating to braille materials and machinery; and to repeal the original section.

**LEGISLATIVE BILL 952.** Introduced by Burling, 33; Jensen, 20; Quandahl, 31.

A BILL FOR AN ACT relating to adoption; to amend sections 43-143 and 43-146.01, Reissue Revised Statutes of Nebraska, and section 43-104, Revised Statutes Supplement, 2000; to provide access to adoption records by heirs as prescribed; to change provisions relating to relinquishments; to eliminate prospective adoptive parent nonconsent forms as prescribed; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 953.** Introduced by Wickersham, 49.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2701.02, Revised Statutes Supplement, 2000; to change the sales and use tax rate; and to repeal the original section.

**LEGISLATIVE BILL 954.** Introduced by Schimek, 27; Beutler, 28.

A BILL FOR AN ACT relating to the state flag; to provide for design of a new state flag.

**LEGISLATIVE BILL 955.** Introduced by Schimek, 27; Aguilar, 35; Beutler, 28; Byars, 30; Connealy, 16; Cudaback, 36; Kruse, 13; Landis, 46; Dw. Pedersen, 39; Preister, 5; Robak, 22; Smith, 48; Synowiecki, 7.

A BILL FOR AN ACT relating to postsecondary educational institutions; to amend section 85-502, Reissue Revised Statutes of Nebraska; to change provisions relating to determinations of residency; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 956.** Introduced by Suttle, 10.

A BILL FOR AN ACT relating to child care licensure; to amend section 71-1912, Revised Statutes Supplement, 2000; to provide staff-to-child ratio and maximum group size requirements; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 957.** Introduced by Landis, 46.

A BILL FOR AN ACT relating to banking and finance; to amend sections 8-115.01, 8-120, 8-122, 8-157, 8-178, 21-1732, 21-1736, and 21-17,109, Reissue Revised Statutes of Nebraska, sections 8-183.03, 21-1701, 45-337, and 45-703, Revised Statutes Supplement, 2000, and sections 8-1,140, 8-355, 8-1111, 21-17,115, and 45-1026, Revised Statutes Supplement, 2001; to change provisions relating to bank charters, applications for charters, and branch banking; to revise powers of state-chartered banks, building and loan associations, and credit unions; to change provisions relating to securities transactions exempt from registration, credit unions, department powers, installment sales, mortgage bankers, and installment loans; to harmonize provisions; to provide operative dates; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 958.** Introduced by Suttle, 10; Byars, 30; Cunningham, 18; Price, 26.

A BILL FOR AN ACT relating to health care facilities; to amend sections 71-6014 and 71-6038, Reissue Revised Statutes of Nebraska, sections 71-460, 71-461, 71-6038, 71-6725, and 71-6734, Revised Statutes Supplement, 2000, and section 71-401, Revised Statutes Supplement, 2001; to define and redefine terms; to provide requirements for medication reviews; to provide for training of certain personnel; to change provisions relating to licensure of assisted-living facilities and Alzheimer's special care units; to change provisions relating to nursing assistants and medication aides; to harmonize provisions; to provide an operative date; and to repeal the original sections.

**LEGISLATIVE BILL 959.** Introduced by Robak, 22.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend section 53-179, Reissue Revised Statutes of Nebraska; to change

provisions relating to hours of sale; and to repeal the original section.

**LEGISLATIVE BILL 960.** Introduced by Byars, 30.

A BILL FOR AN ACT relating to environmental quality; to amend section 81-1513, Reissue Revised Statutes of Nebraska; to change provisions relating to variances; and to repeal the original section.

**LEGISLATIVE BILL 961.** Introduced by D. Pederson, 42; Brown, 6; Engel, 17; Raikes, 25.

A BILL FOR AN ACT relating to the State Board of Agriculture; to amend sections 2-101, 2-220 to 2-220.02, 2-220.04, 2-1204, 51-601, 51-603, 51-604, 77-2704.16, 81-1108.30, and 90-240, Reissue Revised Statutes of Nebraska, sections 2-219 and 84-1301, Revised Statutes Supplement, 2000, and section 53-124.14, Revised Statutes Supplement, 2001; to abolish the State Board of Agriculture; to create the State Fair Commission; to provide, change, and eliminate powers and duties; to create and eliminate funds; to change provisions relating to the Nebraska State Fair; to harmonize provisions; to provide an operative date; to repeal the original sections; and to outright repeal sections 2-102, 2-115, 2-116, 2-118, and 2-125 to 2-128, Reissue Revised Statutes of Nebraska, and section 2-117, Revised Statutes Supplement, 2001.

**LEGISLATIVE BILL 962.** Introduced by Kremer, 34; Aguilar, 35; Burling, 33.

A BILL FOR AN ACT relating to the master lien list; to amend section 52-1603, Reissue Revised Statutes of Nebraska; to change provisions relating to buyers of farm products; and to repeal the original section.

**LEGISLATIVE BILL 963.** Introduced by Kremer, 34.

A BILL FOR AN ACT relating to interest, loans, and debt, to amend section 45-338, Revised Statutes Supplement, 2001; to change provisions relating to the Nebraska Installment Sales Act; and to repeal the original section.

**LEGISLATIVE BILL 964.** Introduced by Redfield, 12; Bruning, 3; Quandahl, 31.

A BILL FOR AN ACT relating to the Auditor of Public Accounts; to amend section 84-304, Revised Statutes Supplement, 2000; to change powers and duties; and to repeal the original section.

**LEGISLATIVE BILL 965.** Introduced by Redfield, 12; Erdman, 47; Quandahl, 31.

A BILL FOR AN ACT relating to individual rights; to adopt the Governmental Information Privacy Act; and to provide an operative date.

**LEGISLATIVE BILL 966.** Introduced by Redfield, 12; Erdman, 47; Quandahl, 31.

A BILL FOR AN ACT relating to public records; to amend section 84-712.05, Reissue Revised Statutes of Nebraska; to provide for additional records which may be withheld; and to repeal the original section.

**LEGISLATIVE BILL 967.** Introduced by Landis, 46.

A BILL FOR AN ACT relating to banking and finance; to amend sections 72-1266 and 72-1268.03, Reissue Revised Statutes of Nebraska, and sections 8-1401, 8-1402, 72-1262, 72-1263, and 72-1264, Revised Statutes Supplement, 2000; to change provisions relating to disclosure of information and the Nebraska Capital Expansion Act; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 968.** Introduced by Landis, 46.

A BILL FOR AN ACT relating to bonds; to amend section 10-126, Revised Statutes Supplement, 2001; to exempt the University of Nebraska and the Nebraska state colleges from certain redemption requirements; and to repeal the original section.

**LEGISLATIVE BILL 969.** Introduced by Landis, 46.

A BILL FOR AN ACT relating to courts; to amend sections 25-2924, 25-2925, and 25-2928, Revised Statutes Supplement, 2001; to change settlement escrow provisions; to provide a termination date; and to repeal the original sections.

**LEGISLATIVE BILL 970.** Introduced by Dw. Pedersen, 39; Bromm, 23; Coordsen, 32.

A BILL FOR AN ACT relating to cities of the first class; to amend section 16-104, Reissue Revised Statutes of Nebraska, and section 32-534, Revised Statutes Supplement, 2001; to change provisions relating to the creation of wards; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 971.** Introduced by Bromm, 23.

A BILL FOR AN ACT relating to the Public Service Commission; to amend section 75-401, Reissue Revised Statutes of Nebraska; to adopt additional federal railroad safety standards for enforcement; and to repeal the original section.

**LEGISLATIVE BILL 972.** Introduced by Bromm, 23.

A BILL FOR AN ACT relating to the Telecommunications Relay System Act; to amend section 86-1305, Reissue Revised Statutes of Nebraska; to



change dates relating to surcharges; and to repeal the original section.

**LEGISLATIVE BILL 973.** Introduced by Janssen, 15; Baker, 44; Cudaback, 36; Vrtiska, 1.

A BILL FOR AN ACT relating to volunteer fire companies; to amend section 35-108, Reissue Revised Statutes of Nebraska; to increase the group term life insurance policy death benefit; and to repeal the original section.

**LEGISLATIVE BILL 974.** Introduced by Janssen, 15; Aguilar, 35; Erdman, 47; Smith, 48; Tyson, 19.

A BILL FOR AN ACT relating to recreation liability; to amend section 37-729, Reissue Revised Statutes of Nebraska; to redefine recreational purposes; and to repeal the original section.

**LEGISLATIVE BILL 975.** Introduced by Cudaback, 36.

A BILL FOR AN ACT relating to elections; to amend section 32-620, Reissue Revised Statutes of Nebraska; to change signature requirements for petition candidates for the offices of President and Vice President; and to repeal the original section.

**LEGISLATIVE BILL 976.** Introduced by Kristensen, 37; Bromm, 23.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 28-109, 39-101, 60-102, 60-471, 60-501, 60-636, 60-638, 60-639, 60-640, 60-678, 60-6,142, 60-6,144, 60-6,226, 60-6,241, 60-6,349, and 60-6,351, Reissue Revised Statutes of Nebraska, sections 60-680 and 69-2603, Revised Statutes Supplement, 2000, and sections 60-301, 60-4,182, and 60-601, Revised Statutes Supplement, 2001; to authorize the use of electric personal assistive mobility devices as prescribed; to define and redefine terms; to prescribe rights and duties under the Nebraska Rules of the Road; to provide penalties; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 977.** Introduced by Aguilar, 35; Cunningham, 18; Kremer, 34; Quandahl, 31; Synowiecki, 7; Tyson, 19.

A BILL FOR AN ACT relating to veterans' aid; to amend section 80-401.03, Revised Statutes Supplement, 2000; to provide for designees as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 978.** Introduced by Aguilar, 35; Kremer, 34; Price, 26.

A BILL FOR AN ACT relating to disabled persons; to amend sections 20-127 and 20-129, Reissue Revised Statutes of Nebraska; to provide rights and duties to trainers of dogs for disabled persons; to provide a penalty; and

to repeal the original sections.

**LEGISLATIVE BILL 979.** Introduced by Aguilar, 35; Cunningham, 18; Kremer, 34; Quandahl, 31.

A BILL FOR AN ACT relating to correctional facilities; to amend sections 47-703 and 47-705, Revised Statutes Supplement, 2000; to change provisions relating to payment of medical expenses; to harmonize provisions; to repeal the original sections; and to outright repeal section 47-704, Revised Statutes Supplement, 2000.

**LEGISLATIVE BILL 980.** Introduced by Cunningham, 18; Aguilar, 35; Baker, 44; Brown, 6; Bruning, 3; Burling, 33; Byars, 30; Cudaback, 36; Dierks, 40; Engel, 17; Erdman, 47; Hartnett, 45; Jensen, 20; Jones, 43; Kremer, 34; McDonald, 41; Dw. Pedersen, 39; Price, 26; Quandahl, 31; Redfield, 12; Schrock, 38; Smith, 48; Stuhr, 24; Tyson, 19; Vrtiska, 1.

A BILL FOR AN ACT relating to employment; to amend sections 81-113, 81-117, and 84-1001, Reissue Revised Statutes of Nebraska; to eliminate recognition of holiday proclamations by the President of the United States; and to repeal the original sections.

**LEGISLATIVE BILL 981.** Introduced by Jensen, 20.

A BILL FOR AN ACT relating to the Nebraska Educational Finance Authority Act; to amend sections 85-1730 and 85-1738, Reissue Revised Statutes of Nebraska; to provide for loans in anticipation of receipt of tuition; and to repeal the original sections.

**LEGISLATIVE BILL 982.** Introduced by Erdman, 47; Burling, 33; Byars, 30; Cunningham, 18; Jensen, 20; Jones, 43; Price, 26; Quandahl, 31; Redfield, 12; Smith, 48; Stuhr, 24; Tyson, 19; Vrtiska, 1.

A BILL FOR AN ACT relating to schools; to amend section 79-724, Revised Statutes Supplement, 2000; to change provisions relating to Americanism instruction; to provide for rules and regulations; and to repeal the original section.

**LEGISLATIVE BILL 983.** Introduced by Erdman, 47; Byars, 30; Foley, 29; Price, 26; Quandahl, 31; Tyson, 19.

A BILL FOR AN ACT relating to the age of majority; to amend section 43-2101, Reissue Revised Statutes of Nebraska; to prohibit the disaffirmance of certain contracts; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 984.** Introduced by Erdman, 47.

A BILL FOR AN ACT relating to cities of the first class; to amend section

17-301, Reissue Revised Statutes of Nebraska; to permit a city to remain a city of the first class despite a population decrease; to harmonize provisions; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 985.** Introduced by Stuhr, 24.

A BILL FOR AN ACT relating to disabled persons; to amend sections 20-127 and 20-129, Reissue Revised Statutes of Nebraska; to provide rights and duties to trainers of dogs for disabled persons; to provide a penalty; and to repeal the original sections.

**LEGISLATIVE BILL 986.** Introduced by Bromm, 23.

A BILL FOR AN ACT relating to insurance; to provide requirements relating to automobile liability policies.

**LEGISLATIVE BILL 987.** Introduced by Kristensen, 37.

A BILL FOR AN ACT relating to education; to amend section 9-812, Revised Statutes Supplement, 2001, as amended by section 1, Legislative Bill 3, Ninety-seventh Legislature, First Special Session, 2001; to create the Warner School of Excellence; to provide for a committee; to provide for funding; to provide an operative date; and to repeal the original section.

**LEGISLATIVE BILL 988.** Introduced by Byars, 30; Brown, 6; Bruning, 3; Burling, 33; Cunningham, 18; Jensen, 20; Smith, 48; Stuhr, 24; Suttle, 10.

A BILL FOR AN ACT relating to the Early Intervention Act; to amend section 43-2507.01, Reissue Revised Statutes of Nebraska, and section 43-2505, Revised Statutes Supplement, 2000; to define and redefine terms; to change provisions relating to services coordination; and to repeal the original sections.

**LEGISLATIVE BILL 989.** Introduced by Revenue Committee: Wickersham, 49, Chairperson; Dierks, 40; Hartnett, 45; Janssen, 15; Landis, 46; Raikes, 25; Redfield, 12.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 28-1425, 77-2604, and 77-27,150 to 77-27,154, Reissue Revised Statutes of Nebraska, and sections 77-2612, 77-2704.12, and 77-27,119, Revised Statutes Supplement, 2000; to change provisions relating to cigarette and tobacco taxation, sales tax exemptions, disclosure of information, and refunds under the Air and Water Pollution Control Tax Refund Act; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 990.** Introduced by Revenue Committee: Wickersham, 49, Chairperson; Dierks, 40; Hartnett, 45; Janssen, 15; Landis, 46; Raikes, 25; Redfield, 12.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-1374 to 77-1376, Revised Statutes Supplement, 2000; to change provisions relating to assessment of improvements on leased land and leasehold interests; and to repeal the original sections.

**LEGISLATIVE BILL 991.** Introduced by Revenue Committee: Wickersham, 49, Chairperson; Dierks, 40; Hartnett, 45; Janssen, 15; Landis, 46; Raikes, 25; Redfield, 12.

A BILL FOR AN ACT relating to the Highway Trust Fund; to amend section 39-2215, Reissue Revised Statutes of Nebraska; to change provisions relating to allocations to the fund; and to repeal the original section.

**LEGISLATIVE BILL 992.** Introduced by Revenue Committee: Wickersham, 49, Chairperson; Dierks, 40; Hartnett, 45; Janssen, 15; Landis, 46; Raikes, 25; Redfield, 12.

A BILL FOR AN ACT relating to homesteads; to amend section 77-3527, Reissue Revised Statutes of Nebraska, and section 77-3508, Revised Statutes Supplement, 2000; to change disability certification procedures and application requirements; to provide an operative date; and to repeal the original sections.

**LEGISLATIVE BILL 993.** Introduced by Schrock, 38; Bruning, 3; Preister, 5.

A BILL FOR AN ACT relating to the Game and Parks Commission; to amend section 37-101, Reissue Revised Statutes of Nebraska; to create an advisory board to select candidates for purposes of appointing members to the commission; to harmonize provisions; to provide an operative date; and to repeal the original section.

**LEGISLATIVE BILL 994.** Introduced by Revenue Committee: Wickersham, 49, Chairperson; Dierks, 40; Hartnett, 45; Janssen, 15; Landis, 46; Raikes, 25; Redfield, 12.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 37-335, 49-1202, and 49-1203, Reissue Revised Statutes of Nebraska, sections 77-1345 and 77-1348, Revised Statutes Supplement, 2000, and sections 77-702, 77-1343, 77-1347, 77-5016, and 79-1016, Revised Statutes Supplement, 2001; to change and eliminate provisions relating to mailing requirements, property taxation, the Property Tax Administrator, assessment, appeals, and valuation for school aid purposes; to define terms; to harmonize provisions; to repeal the original sections; and to outright repeal section 77-1513, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 995.** Introduced by Wickersham, 49; Dierks, 40; Hartnett, 45; Janssen, 15; Landis, 46; Raikes, 25; Redfield, 12.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2768, Reissue Revised Statutes of Nebraska; to change filing and payment requirements relating to the income tax; and to repeal the original section.

**LEGISLATIVE BILL 996.** Introduced by Wickersham, 49.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 53-160, Reissue Revised Statutes of Nebraska, and section 77-2602, Revised Statutes Supplement, 2001; to change tax rates relating to alcoholic liquor and tobacco; to harmonize provisions; to provide an operative date; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 997.** Introduced by Transportation and Telecommunications Committee: Bromm, 23, Chairperson; Baker, 44; Brown, 6; Byars, 30; Jones, 43; Dw. Pedersen, 39; Robak, 22.

A BILL FOR AN ACT relating to the Public Service Commission; to amend sections 18-2432, 70-604.06, 70-1016, 75-117, 75-121, and 75-1008, Reissue Revised Statutes of Nebraska, sections 75-122.01, 75-156, 75-609, 86-803, 86-811, 86-1110, and 86-1219, Revised Statutes Supplement, 2000, and sections 75-132.01, 75-134, 75-136, 86-1909, and 86-2305, Revised Statutes Supplement, 2001; to change and eliminate appeal provisions to conform with the Administrative Procedure Act; to harmonize provisions; to repeal the original sections; and to outright repeal section 75-138, Reissue Revised Statutes of Nebraska, and sections 75-136.01 and 75-137, Revised Statutes Supplement, 2001.

**LEGISLATIVE BILL 998.** Introduced by Transportation and Telecommunications Committee: Bromm, 23, Chairperson; Baker, 44; Brown, 6; Byars, 30; Jones, 43; Dw. Pedersen, 39; Robak, 22.

A BILL FOR AN ACT relating to motor carriers; to amend sections 75-363 and 75-364, Revised Statutes Supplement, 2001; to change provisions relating to motor carrier safety; to adopt certain portions of the federal Motor Carrier Safety Regulations and the federal Hazardous Material Regulations; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 999.** Introduced by Transportation and Telecommunications Committee: Bromm, 23, Chairperson; Baker, 44; Brown, 6; Byars, 30; Jones, 43; Dw. Pedersen, 39; Robak, 22.

A BILL FOR AN ACT relating to commercial motor vehicles; to amend sections 60-4,132, 60-4,162, and 75-369.03, Reissue Revised Statutes of Nebraska, and section 60-4,168, Revised Statutes Supplement, 2001; to change provisions relating to intent, employers, and disqualification of drivers; to provide penalties; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1000.** Introduced by Bourne, 8.

A BILL FOR AN ACT relating to law enforcement; to amend sections 81-1417 and 83-4,124, Reissue Revised Statutes of Nebraska; to change commission and board membership provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1001.** Introduced by Bourne, 8.

A BILL FOR AN ACT relating to labor; to amend sections 48-1230 to 48-1232, Reissue Revised Statutes of Nebraska; to require an itemized statement of deductions on paychecks; to provide a remedy; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1002.** Introduced by Bourne, 8.

A BILL FOR AN ACT relating to the Nebraska Rules of the Road; to amend section 60-682.01, Reissue Revised Statutes of Nebraska; to provide double fines for speeding in a residential area as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 1003.** Introduced by Schrock, 38; Bromm, 23; Brown, 6; Bruning, 3; Preister, 5.

A BILL FOR AN ACT relating to game and parks; to amend sections 37-101, 37-102, 37-453, 37-491, 37-4,105, and 37-4,106, Reissue Revised Statutes of Nebraska, sections 37-201, 37-202, 37-353, 37-406, 37-438, 37-440, and 37-525, Revised Statutes Supplement, 2000, and sections 37-407, 37-426, and 37-455, Revised Statutes Supplement, 2001; to change Game and Parks Commission membership, terms, and qualifications; to change provisions relating to the taking of wildlife, permits to hunt, fish, or harvest fur, permit fees, special permits, limited permits, bait and fish dealer's permits, entry permits, habitat stamps, paddlefish, and training and running dogs; to authorize and change fees; to authorize the issuance of electronic stamps as prescribed; to define terms; to provide powers and duties; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1004.** Introduced by Schrock, 38; Bruning, 3; Preister, 5.

A BILL FOR AN ACT relating to the Game and Parks Commission; to amend section 37-101, Reissue Revised Statutes of Nebraska; to create an advisory board to select candidates for purposes of appointing members to the commission; to harmonize provisions; to provide an operative date; and to repeal the original section.

**LEGISLATIVE BILL 1005.** Introduced by Bromm, 23; Cunningham, 18; Tyson, 19.

A BILL FOR AN ACT relating to driving under the influence; to amend section 29-215, Revised Statutes Supplement, 2000; to change provisions relating to a law enforcement officer's primary jurisdiction with respect to chemical testing procedures; to define and redefine terms; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 1006.** Introduced by Schrock, 38; Baker, 44; Bruning, 3; Burling, 33; Cudaback, 36; Jones, 43; Raikes, 25; Stuhr, 24.

A BILL FOR AN ACT relating to the Uniform Commercial Code; to amend sections 2-401 and 2-403, Uniform Commercial Code; to change provisions relating to sales; and to repeal the original sections.

**LEGISLATIVE BILL 1007.** Introduced by Kruse, 13; Bourne, 8; Preister, 5; Suttle, 10.

A BILL FOR AN ACT relating to motor vehicles; to amend section 60-2410, Reissue Revised Statutes of Nebraska; to change provisions relating to towing and storage costs; and to repeal the original section.

**LEGISLATIVE BILL 1008.** Introduced by Kruse, 13; Beutler, 28; Engel, 17; Foley, 29; Smith, 48.

A BILL FOR AN ACT relating to elections; to amend section 32-624, Reissue Revised Statutes of Nebraska; to change provisions relating to candidate filing forms; and to repeal the original section.

**LEGISLATIVE BILL 1009.** Introduced by Connealy, 16.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-101, Revised Statutes Supplement, 2000; to prohibit the installation or reinstallation in a motor vehicle, as part of the inflatable restraint system, of any object or material other than an air bag as prescribed; to provide a penalty; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 1010.** Introduced by Quandahl, 31; Bruning, 3; Redfield, 12.

A BILL FOR AN ACT relating to the Military Code; to amend section 55-101, Reissue Revised Statutes of Nebraska; to provide power for officers to act as notaries public; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 1011.** Introduced by Kristensen, 37; Chambers, 11.

A BILL FOR AN ACT relating to the Legislature; to amend sections 84-202 and 84-205, Reissue Revised Statutes of Nebraska; to authorize employment of a Counsel to the Legislature; to define terms; to provide powers and duties; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1012.** Introduced by Quandahl, 31.

A BILL FOR AN ACT relating to installment sales and loans; to amend section 45-341, Reissue Revised Statutes of Nebraska, and section 45-1024, Revised Statutes Supplement, 2001; to authorize certain fees as prescribed; and to repeal the original sections.

**LEGISLATIVE BILL 1013.** Introduced by Schimek, 27.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-1318, Revised Statutes Supplement, 2000; to change tax penalty provisions; and to repeal the original section.

**LEGISLATIVE BILL 1014.** Introduced by Coordsen, 32.

A BILL FOR AN ACT relating to the Legislature; to eliminate the Nebraska Futures Center; and to outright repeal sections 50-301 to 50-309, Revised Statutes Supplement, 2001.

**LEGISLATIVE BILL 1015.** Introduced by Suttle, 10.

A BILL FOR AN ACT relating to childhood immunizations; to amend sections 71-526 to 71-528, 71-530, and 79-217, Reissue Revised Statutes of Nebraska, and sections 71-529, 71-539, 71-541 to 71-544, and 71-604, Revised Statutes Supplement, 2000; to rename the Childhood Vaccine Act; to create the Childhood Immunization Registry; to change provisions relating to sharing of immunization information; to provide duties; to harmonize provisions; to provide operative dates; to repeal the original sections; and to outright repeal section 71-540, Revised Statutes Supplement, 2000.

**RESOLUTION****LEGISLATIVE RESOLUTION 277CA.** Introduced by Schimek, 27.

THE MEMBERS OF THE NINETY-SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION, RESOLVE THAT:

Section 1. At the general election in November 2002 the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To amend Article VI, section 2:

VI-2 "No person shall be qualified to vote who is non compos mentis, or who has been convicted of treason ~~or felony~~ under the laws of the state or of the United States, unless restored to civil rights.

No person who has been convicted of a felony is qualified to vote until completion of the sentence including parole, if any, for the felony. Upon such completion such person's right to vote is automatically restored."

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1,



with the following ballot language:

"A constitutional amendment to change the prohibition on a felon's right to vote.

For

Against".

Referred to the Reference Committee.

### **BILLS ON FIRST READING**

The following bills were read for the first time by title:

**LEGISLATIVE BILL 206A.** Introduced by Wickersham, 49.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 206, Ninety-seventh Legislature, Second Session, 2002.

**LEGISLATIVE BILL 91A.** Introduced by Wickersham, 49.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 91, Ninety-seventh Legislature, Second Session, 2002.

### **REFERENCE COMMITTEE REPORT**

The Legislative Council Executive Board submits this report of the following legislative bills and appointments:

<b>LB/LR</b>	<b>Committee</b>
LB 857	General File
LB 858	General File
LB 859	General File
LB 860	General File
LB 861	Judiciary
LB 862	Health and Human Services
LB 863	Banking, Commerce and Insurance
LB 864	Banking, Commerce and Insurance
LB 865	Judiciary
LB 866	Government, Military and Veterans Affairs
LB 867	Transportation and Telecommunications
LB 868	Government, Military and Veterans Affairs
LB 869	Government, Military and Veterans Affairs
LB 870	Judiciary
LB 871	Banking, Commerce and Insurance
LB 872	Judiciary
LB 873	General Affairs
LB 874	Judiciary
LB 875	Judiciary

LB 876	Judiciary
LB 877	Government, Military and Veterans Affairs
LB 878	Revenue
LB 879	Transportation and Telecommunications
LB 880	Education
LB 881	Revenue
LB 882	Judiciary
LB 883	Judiciary
LB 884	Revenue
LB 885	Banking, Commerce and Insurance
LB 886	Revenue
LB 887	Revenue
LB 888	Banking, Commerce and Insurance
LB 889	Natural Resources
LB 890	Natural Resources
LB 891	Natural Resources
LB 892	Health and Human Services
LB 893	Revenue
LB 894	Health and Human Services
LB 895	Judiciary
LB 896	Health and Human Services
LB 897	Banking, Commerce and Insurance
LB 898	Education
LB 899	Natural Resources
LB 900	Banking, Commerce and Insurance
LB 901	Judiciary
LB 902	Natural Resources
LB 903	Government, Military and Veterans Affairs
LB 904	Transportation and Telecommunications
LB 905	Revenue
LB 906	Appropriations
LB 907	Revenue
LB 908	Government, Military and Veterans Affairs
LB 909	General Affairs
LB 910	Judiciary
LB 911	Health and Human Services
LB 912	Agriculture
LB 913	Natural Resources
LB 914	Agriculture
LB 915	Agriculture
LB 916	Agriculture
LB 917	Transportation and Telecommunications
LB 918	Transportation and Telecommunications
LB 919	Agriculture
LB 920	Revenue
LB 921	Business and Labor
LB 922	Transportation and Telecommunications
LB 923	Transportation and Telecommunications
LB 924	Transportation and Telecommunications

LB 925      Transportation and Telecommunications  
LB 926      Government, Military and Veterans Affairs  
LB 927      Judiciary  
LB 928      Revenue

Acklie, Gene - Board of Public Roads Classifications and Standards -  
Transportation and Telecommunications

Baumgartner, Shawn - Board of Emergency Medical Services - Health and  
Human Services

Bereuter, Louise - Nebraska Arts Council - General Affairs

Doll, Alan D. - Board of Public Roads Classifications and Standards -  
Transportation and Telecommunications

Dunn, Robert - Board of Emergency Medical Services - Health and Human  
Services

Grewcock, William L. - Game and Parks Commission - Natural Resources

Hilgert, Director, John A. - Department of Veterans Affairs - Government,  
Military and Veterans Affairs

Lindahl, Loren L. - Commission of Industrial Relations - Business and  
Labor

Lux, Dean T. - Board of Public Roads Classifications and Standards -  
Transportation and Telecommunications

Rhoades, Kenneth L. - Dry Bean Commission - Agriculture

Ruegg, Gary A. - Nebraska Transit and Rail Advisory Council -  
Transportation and Telecommunications

Sheehy, Richard J. - Board of Emergency Medical Services - Health and  
Human Services

Westcott, Michael, M.D. - Board of Emergency Medical Services - Health  
and Human Services

Wolfe, Richard L. - State Electrical Board - General Affairs

Yonkey, Arthur - Board of Public Roads Classifications and Standards -  
Transportation and Telecommunications

(Signed) George Coordsen, Chairperson  
Legislative Council  
Executive Board

**UNANIMOUS CONSENT - Add Cointroducer**

Senator McDonald asked unanimous consent to have her name added as cointroducer to LB 824. No objections. So ordered.

**VISITORS**

Visitors to the Chamber were Brittany and Joshua Sparling, Evelyn and Ed Chinick, from Riverdale, and Teresa Worster from Lincoln; Steve Albrecht, Jim McHugh, Fiona Libsack, Mary Armstrong, and Linda Mai from the Scottsbluff Regional West Medical Center and John McVay from Region I Mental Health, Scottsbluff.

The Doctor of the Day was Dr. David Filipi from Omaha.

**ADJOURNMENT**

At 11:53 a.m., on a motion by Senator Connealy, the Legislature adjourned until 10:00 a.m., Friday, January 11, 2002.

Patrick J. O'Donnell  
Clerk of the Legislature